

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

JUDGMENT IN A CIVIL CASE

Robert Bruce Carroll
Plaintiff

v.

CASE NUMBER: 1:14-CV-531 (TJM/ATB)

Rondout Yacht Basin Inc.
Defendant

Decision by Court. This action came to a hearing before the Court. The issues have been heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

That Plaintiff's Objections to the Report-Recommendation are hereby OVERRULED. The Report-Recommendation of Magistrate Judge Baxter is hereby ADOPTED. The Plaintiff's Complaint is dismissed with prejudice as to Plaintiff's claims brought pursuant to the ADA pursuant to 28 U.S.C. § 1915(e)(2)(b)(ii). The Plaintiff's breach of contract, harassment, constructive eviction, and conversion claims are DISMISSED without prejudice to plaintiff bringing any such claims in New York State Court to extent that he is able to do so. It is hereby CERTIFIED that any appeal from this matter would not be taken in good faith pursuant to 28 U.S.C. § 1915(a)(3).

All of the above pursuant to the order of the Honorable Judge Senior Judge Thomas J. McAvoy , dated the 3rd day of October, 2014.

DATED: October 3, 2014


Clerk of Court

s/ Michelle Coppola
Deputy Clerk